

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

MASONS & PLASTERERS WELFARE )  
FUND, LOCAL 56, DUPAGE COUNTY, )  
ILLINOIS, )

and )

MASONS & PLASTERERS PENSION FUND, )  
LOCAL 56, DUPAGE COUNTY, ILLINOIS, )

and )

RICHARD RASMUSSEN, RICHARD )  
LAUBER, RICHARD PORTER, DAVID )  
SABO, TIMOTHY AIKENS, and MICHAEL )  
HOOPER, as Trustees of the Masons & )  
Plasterers Welfare Fund, Local 56, DuPage )  
County, Illinois, )

and )

MICHAEL ALORE, TIMOTHY AIKENS, )  
LARS ESPELAND, STEVEN NELMS, )  
RICHARD LAUBER, RICHARD PORTER, )  
and DAVID SABO, as Trustees of the Masons )  
& Plasterers Pension Fund, Local 56, DuPage )  
County, Illinois, )

Plaintiffs, )

v. )

DJM CONSTRUCTION & REMODELING, )  
INC., an Illinois Corporation, )

Defendant. )

Case No. 08 CV 2873

Judge Kendall

**NOTICE OF MOTION**

To: See attached service list

PLEASE TAKE NOTICE that on June 16, 2008 at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned shall appear before the Honorable Judge Kendall, or any judge sitting in his stead, in Courtroom 2319 of the Dirksen Building, 219 South Dearborn Street, Chicago, Illinois, and shall present Plaintiff's Motion for Leave to File an Amended Complaint, a copy of which is attached hereto and served upon you.

Respectfully submitted,  
PLAINTIFFS,

By: /s/ Joshua M. Bernstein  
One of their attorneys

Arthur M. Holtzman  
Paul Altman  
Joshua M. Bernstein  
PEDERSEN & HOUP, P.C.  
161 N. Clark St., Suite 3100  
Chicago, IL 60601-3224  
(312) 641-6888

**CERTIFICATE OF SERVICE**

I, Joshua M. Bernstein, an attorney, states that he served a copy of the foregoing Motion for Leave to File an Amended Complaint, upon the following counsel of record:

DJM Construction & Remodeling, Inc.  
c/o Jolanta Korzen as Registered Agent  
2534 Allison  
Glenview, IL 60025

via regular mail by enclosing a true and correct copy thereof in a duly-addressed, postage prepaid envelope, and depositing same in the United States mail at 161 N. Clark St., Chicago, Illinois 60601 on this 4<sup>th</sup> day of June 2008.

By: /s/ Joshua M. Bernstein